

JOHN VAN COLT AND SAMUEL MALIN.

[To accompany Bill H. R. No. 731.]

MAY 18, 1860.

Mr. STANTON, from the Committee on Military Affairs, made the following

REPORT.

*The Committee on Military Affairs, to whom was referred the memorial of John Van Colt and Samuel Malin, of Salt Lake city, in the Territory of Utah, for indemnification for damages done to their wheat fields in said Territory by United States troops, report :*

That it appears from evidence accompanying the memorial that in June, 1859, the said Van Colt was the owner of a wheat field of ten acres, and the said Malin of wheat field of five acres, situated in the southeastern part of the city and county of Great Salt Lake, in said Territory of Utah, which fields were both enclosed with wood fences sufficient to protect them against animals running at large, and continued growing crops of wheat; that on the night of the 13th of June, 1859, these fields were entered by a detachment of United States troops belonging to the army of Utah, known as the 2d dragoons, under the command of Captain Richard S. Anderson with their horses, mules, and wagons, and the said ten-acre field belonging to Malin was encamped upon by said troops.

Three witnesses, citizens of Salt Lake city, testify that on the 16th of June, 1859, they made a personal inspection of said fields, and found the wheat, then in the ear, trampled down and destroyed, with fresh footprints of horses, mules and men, and tracks of wagons, in both fields, and in the said ten-acre field stake-holes of a late encampment, and evidences of recent fires in many places.

Said witnesses estimate that in said five-acre field, belonging to Malin, one-third of the crop was destroyed, and that in the ten-acre field, belonging to Colt, the crop was totally destroyed and other damages done by burning a part of the fencing materials by which it was enclosed. They estimate the damage done to Malin at ninety-three dollars and thirty-three cents, and the damage done to Van Colt at five hundred dollars.

Your committee herewith report a bill for the relief of the memorialists, allowing to each the damages indicated by said testimony, and recommend its passage.

